

MAR 17 2005

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

BALDWIN

Serial No.: 10/727,097

Filed: December 3, 2003

Confirmation No.: 6053

Atty. File No.: 50012-00031

For:

"METHOD, SYSTEM AND APPARATUS  
FOR LABELING SYRINGES"

) Group Art Unit: 3721

) Examiner: Brian D. Nash

) REQUEST FOR CORRECTION OF  
) INVENTORSHIP IN A PATENT  
) APPLICATION PURSUANT TO 37  
) C.F.R. § 1.48(a)

"EXPRESS MAIL" MAILING LABEL  
NO: EV 338034641 US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.48(a), it is hereby requested that inventorship in the above-identified patent application be corrected, whereby Mr. Jason Conrad Morton is deleted as an inventor. In this regard, attached please find:

(a) A statement under 37 C.F.R. § 1.48(a)(2) from Mr. Jason Conrad Morton providing that the error of including Mr. Jason Conrad Morton as an inventor in the above-referenced patent application occurred without any deceptive intent on the part of Mr. Jason Conrad Morton;

(b) A declaration signed by the actual inventor, Brian Eugene Baldwin, as required by 37 C.F.R. § 1.48(a)(3);

(c) A check in the amount of \$130.00 for the processing fee set forth in 37

03/18/2005 EABUBAK1 00000121 10727097

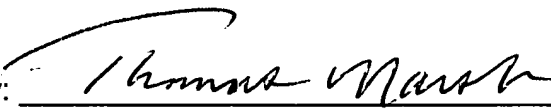
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C.F.R. § 1.17(i), as required by 37 C.F.R. § 1.48(a)(4); and

(d) A statement under 37 C.F.R. § 1.48(a)(5) from the current assignee of the entire right, title and interest in the above-referenced patent application consenting to the inventorship change, and a corresponding statement under 37 C.F.R. § 3.73(b).

In view of the foregoing, it is submitted that the requirements of 37 C.F.R. § 1.48(a) have been fulfilled, and a correction of inventorship deleting Mr. Jason Conrad Morton as an inventor in the above-identified patent application is respectfully requested. The Director is hereby authorized to debit any required additional fee(s) or credit any excess to Deposit Account No. 50-1419.

Respectfully submitted,  
MARSH FISCHMANN & BREYFOGLE LLP

By:   
Thomas R. Marsh, Esq.  
3151 South Vaughn Way, Suite 411  
Aurora, Colorado 80014  
Atty. Reg. No.: 31,039  
Telephone: (303) 338-0997  
Facsimile: (303) 338-1514

Date: 3/16/05



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) Group Art Unit: 3721

)

) Examiner: Brian D. Nash

)

) STATEMENT UNDER 37 C.F.R. §  
) 1.48(a)(2) FOR CORRECTION OF  
) INVENTORSHIP

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"EXPRESS MAIL" MAILING LABEL  
NO: EV 338034041 US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.48(a)(2), I, Jason Conrad Morton, hereby declare that the inventorship error of including me, Jason Conrad Morton, as an inventor of the above-referenced patent application occurred without any deceptive intention on the part of Jason Conrad Morton.

Date:

3/15/05

By

Jason Conrad Morton  
Jason Conrad Morton

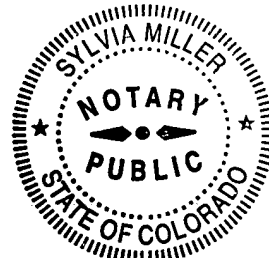
STATE OF Colorado )  
COUNTY OF Arapahoe ) ss.

Before me, a Notary Public in and for said County and State, personally appeared Jason Conrad Morton, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 15<sup>th</sup> day of March, 2005.

Sylvia Miller  
Notary Public

My Commission Expires: May 23 2006



My Commission Expires  
05/23/2006

Docket No.  
50012-00031

## Declaration For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for

**METHOD, SYSTEM, AND APPARATUS FOR LABELING SYRINGES**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on December 3, 2003 as United States Application No. or PCT International  
Application Number 10/727,097  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior applications and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

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\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

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(Day/Month/Year Filed)

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\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

09/928,007

08/10/01

Pending

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

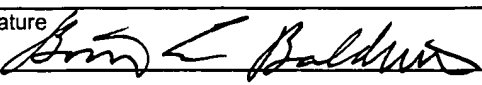
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(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor <b>Brian Eugene Baldwin</b>	
Sole or first inventor's signature 	Date <b>March 15, 2005</b>
Residence <b>7891 S. Argonne Street, Centennial, CO 80016</b>	
Citizenship <b>U.S.</b>	
Post Office <b>Same as above</b>	

Full name of second inventor, if any	
Second inventor's	Date
Residence	
Citizenship	
Post Office	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office	



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BALDWIN

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For:

"METHOD, SYSTEM AND APPARATUS  
FOR LABELING SYRINGES"

) Group Art Unit: 3721

) Examiner: Brian D. Nash

) STATEMENT OF ASSIGNEE UNDER  
) 37 C.F.R. § 1.48(a)(5) FOR  
) CORRECTION OF INVENTORSHIP

"EXPRESS MAIL" MAILING LABEL  
NO: EV 338034041 US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

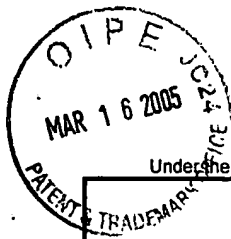
I, Randall W. Smith, Vice President of Technology for Baxa Corporation, hereby declare that Baxa Corporation is the assignee of the entire right, title and interest for the above-identified patent application and that I am authorized to act on behalf of Baxa Corporation, as evidenced by the attached Statement Under 37 C.F.R. 3.73(b). In accordance with 37 C.F.R. § 1.48(a)(5), Baxa Corporation hereby declares that it consents to the change of inventorship for the above-referenced patent application whereby Jason Conrad Morton is deleted as an inventor.

BAXA CORPORATION

Date: 15 March 2005

By: Randall W. Smith  
Randall W. Smith  
Vice President of Technology





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Baxa CorporationApplication No./Patent No.: 10/727,097 Filed/Issue Date: December 3, 2003Entitled: METHOD, SYSTEM AND APPARATUS FOR LABELING SYRINGESBaxa Corporation, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015344, Frame 0049, or for which a copy thereof is attached.**OR**B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

15 March 2005

Date

N/A

Telephone number

Randall W. Smith

Typed or printed name

Signature

Vice President of Technology

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOVEMBER 09, 2004

PTAS

MARSH FISCHMANN & BREYFOGLE LLP  
THOMAS R. MARSH  
3151 SOUTH VAUGHN WAY, SUITE 411  
AURORA, CO 80014



\*102798250A\*

**RECEIVED**

NOV 15 2004

MARSH FISCHMANN & BREYFOGLE LLP

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/17/2004

REEL/FRAME: 015344/0049  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 50012-00031

ASSIGNOR:

BALDWIN, BRIAN EUGENE

DOC DATE: 05/11/2004

ASSIGNOR:

MORTON, JASON CONRAD

DOC DATE: 05/11/2004

ASSIGNEE:

BAXA CORPORATION  
14445 GRASSLANDS DRIVE  
ENGLEWOOD, COLORADO 80112

SERIAL NUMBER: 10727097

FILING DATE: 12/03/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: METHOD, SYSTEM, AND APPARATUS FOR LABELING SYRINGES

015344/0049 PAGE 2

VIOLET MCCOY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

05-20-2004

Locket No.: 50012-00031

SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

Y

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To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Brian Eugene Baldwin  
Jason Conrad Morton

S. 17.04

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: 05/11/04

2. Name and address of receiving party(ies):

Name: Baxa Corporation

Internal Address:

Street Address: 14445 Grasslands Drive

City: Englewood State: CO ZIP: 80112

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

10/727,097

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas R. Marsh

Internal Address: Marsh Fischmann & Breyfogle LLP

Street Address: 3151 South Vaughn Way

Suite 411

City: Aurora State: CO ZIP: 80014

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

50-1419

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas R. Marsh

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

3

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services

Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450

05/11/2004 10:27:09  
01 F1:8021

## ASSIGNMENT

WHEREAS, we, Brian Eugene Baldwin, of 7891 S. Argonne Street, Centennial, Colorado 80016 and Jason Conrad Morton, 8976 South Sanderling Way, Littleton, Colorado 80126 have invented a certain new and useful invention entitled METHOD, SYSTEM, AND APPARATUS FOR LABELING SYRINGES, for which an application for Letters Patent of the United States has been prepared and filed on December 3, 2003, receiving Serial No. 10/727,097, and further identified as Attorney File No. 50012-00031;

NOW THEREFORE, be it known that we, the said inventors, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, BAXA CORPORATION, a Colorado corporation having a place of business at 14445 Grasslands Drive, Englewood, Colorado 80112, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty, and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; we also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; we warrant that we have made no assignment of the invention, application or patent therefor to a party other than BAXA CORPORATION and we are under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and we further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to BAXA CORPORATION, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date indicated hereunder.

Date: 5/11/04

By: Brian Eugene Baldwin  
Brian Eugene Baldwin

Date: 05/11/2004

By: Jason Conrad Morton  
Jason Conrad Morton

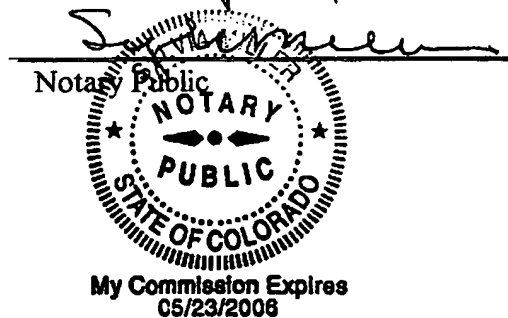
STATE OF Colorado )  
 ) ss.  
COUNTY OF Arapahoe )

Before me, a Notary Public in and for said County and State, personally appeared Brian Eugene Baldwin, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 11<sup>th</sup> day of May, 2004.

My Commission Expires: May 23 2006

STATE OF Colorado )  
 ) ss.  
COUNTY OF Arapahoe )



Before me, a Notary Public in and for said County and State, personally appeared Jason Conrad Morton, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

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